IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

GUARDIANSHIP PETITION NO.90 OF 2002

In the matter of Guardian And Wards Act VIII of 1980

And

In the matter of appointment of Guardian of Person and Property of Hardik Rajendra Sanghvi & Zarna Rajendra Sanghvi both minors.

Mr.S.S.Deshmukh i/b. Amin Sapkal & Co., Advocate for the Petitioner.

Mrs.A.A.Upadhye, Master & Asstt. Prothonotary, Guardian and ad-litem.

Minor Hardik Rajendra Sanghvi present.

CORAM: S.J. VAZIFDAR, J.
DATED: 3RD/13TH SEPTEMBER, 2004

P.C. :

I have today signed a Judge's Order, deleting therefrom the portion bracketed in red.

2. The Accounts Officer shall release the dividend in respect of the minor girl Ms.Zarna Rajendra Sanghvi as per the Judge's order. Her guardian shall submit an account thereof in this Court on an

affidavit on or before 15th January and 15th July of each year. The first such account shall be submitted on or before 15th January, 2005.

3(a). I have interviewed the Petitioner and the minor boy Master Hardik Rajendra Sanghvi. I find that he will not be in a position to utilize his assets in a responsible and prudent manner. This is probably due to the tragic circumstances in which he lost his parents. After speaking to him, it is not only necessary but imperative that his assets be monitored very strictly. There is every possibility of his wasting or being cheated of the same if left uncontrolled in his possession. His only aim is to procure his share. Indeed, he seemed very anxious that the amount due to him be paid to him immediately. I apprehend that he will squander the money or will be cheated by others. He has apparently contacted a lawyer for some reason who has demanded a sum of Rs.75,000/- as his fees. The lawyer has however not appeared before me. The minor has discontinued his studies and shows no inclination to resume his studies presently.

3(b). In the circumstances, the present guardian ad-litem Mrs.A.A.Upadhye is directed to continue as

the guardian of all his assets, moveable and immoveable.

(c). The guardian shall pay all dues including those of the society, electricity dues and educational expenses, if any, by account payee cheque in the name of the society/electricity or other statutory authorities and educational institutions. In no circumstances, the guardian shall hand over cash to the minor for the same. The minor shall collect the cheques from the office of the guardian which is in this Court.

(d). The guardian shall also ascertain the amount necessary to enable the minor son to meet his day-to-day expenses after making necessary enquiries. The guardian shall obtain directions from the Court regarding the amount to be handed over to the minor son for this purpose. Preferably, these amounts should be paid only monthly otherwise there is a danger of his wasting the amount. The minor must collect the money personally in Court from the guardian. At present, the guardian shall disburse an amount of Rs.1000/- in cash every month for lodging and other miscellaneous expenses of the minor.

(e). The guardian shall open a bank account and shall deposit the amounts received from the Accounts Officer therein. The account shall be operated only by the guardian.

(f). At this stage, the Accounts Officer shall release an amount of Rs.50,000/- in favour of the guardian to enable her to meet certain expenses including medical expenses which require to be made immediately. The Petitioner has spent a sum of Rs.12,277/- in respect of the minor for his medical expenses. The minor Hardik's guardian shall pay a sum of Rs.12,000/- to the Petitioner immediately upon receipt of the said sum of Rs.50,000/- thereof from the Accounts Officer.

(g). To this extent, the Judge's order signed by me shall stand modified. Thus, an amount of Rs.3,50,000/- only shall be invested in Government of India 8% Savings (Taxable) Bonds, 2003 in respect of the minor Hardik.

(h). Any excess amount shall be invested at six monthly intervals by the guardian after seeking directions from the Court.

4. Liberty to the parties to apply.